

REMARKS

Claims 1, 3-10 and 12-14 are pending in the application, with claim 1 being independent. Claim 2 is canceled by this amendment without waiver or prejudice. Applicant thanks the Examiner for indicating that claims 3-6, 8-10 and 12-14 contain allowable subject matter.

TERMINAL DISCLAIMER

A new terminal disclaimer is being submitted herewith that correctly identifies the co-pending application as 10/729,232. Withdrawal of the provisional double patenting rejection is respectfully requested. A statement under 3.73(b) submitted with the previous response is relied upon for the corrected terminal disclaimer. The terminal disclaimer fee was previously submitted.

REJECTION UNDER 35 U.S.C. § 112

Claims 1-10 and 12-14 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended claims 1 and 7 to obviate the rejection by clarifying “exhaust aperture.” The rejection with respect to claim 2 is moot since claim 2 is canceled by this amendment.

Applicant respectfully requests reconsideration and withdrawal of the rejection claims 1, 3-10 and 12-14.

REJECTION UNDER 35 U.S.C. § 102

Claims 1 and 2 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Roshilavati Razlan et al. (U.S. Pat. No. 6,688,349). With respect to claim 1, this rejection is

respectfully traversed and with respect to claim 2, this rejection is rendered moot since claim 2 is canceled by this amendment.

Claim 1 recites a planar that includes, among other features, a body that defines an exhaust aperture that defines a first exhaust aperture and a second exhaust aperture, and a conduit defined within the body for directing airflow, where the conduit is in communication with the first and second exhaust apertures. Applicant respectfully requests reconsideration and withdrawal of the rejection because Razlan does not describe or suggest a first exhaust aperture and a second exhaust aperture and a conduit defined within the body for directing airflow, where the conduit is in communication with the first and second exhaust apertures.

Instead, Razlan merely shows a single chip withdrawing opening 17. Razlan describes the chip withdrawing opening 17 as having its axis in parallel with the axis of the motor and both the opening 17 and the motor extend outwardly at a same side. See, Razlan Figs. 1-3 and col. 1, lines 28-34. Nowhere does Razlan describe or suggest a first exhaust aperture and a second exhaust aperture.

For at least these reasons, Applicant respectfully requests reconsideration and withdrawal of the § 102(e) rejection of claim 1.

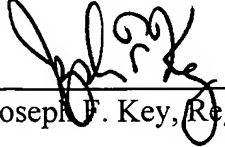
Applicant submits that all claims are in condition for allowance.

Enclosed is an authorization to charge the fees for a RCE and a petition for a three month extension of time to Account No. 02-2548. Please charge any deficiencies or credits to Account No. 02-2548.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (410) 716-2830.

Respectfully submitted,

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